

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**JASON MARTINEZ,**

**Petitioner,**

**v.**

**No. 16-1280 RB/LAM**

**V. HORTON, et al.**

**Respondents.**

**SECOND ORDER TO CURE DEFICIENCY**

Petitioner submitted an Application for Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254 [*Doc. 1*] on November 22, 2016. Following entry of an Order to Cure Deficiency [*Doc. 3*], Petitioner filed an Application to Proceed in the District Court Without Prepaying Fees or Costs [*Doc. 4*] on December 22, 2016. The Court determines that Petitioner's Application to Proceed is missing the required **certified copy of Petitioner's inmate account statement** for the 6-month period immediately preceding this filing. *See* 28 U.S.C. § 1915(a)(2). Failure to cure the designated deficiency **within thirty (30) days from entry of this Order** may result in **dismissal** of this action without further notice.

**IT IS THEREFORE ORDERED** that **within thirty (30) days from the date of this Order** Petitioner cure the designated deficiency by submitting the required certified copy of Petitioner's inmate account statement for the 6-month period immediately preceding this filing.

**IT IS FURTHER ORDERED** that, **if Petitioner fails to cure the designated deficiencies within thirty (30) days from the date of this order, this action may be dismissed without prejudice without further notice.**

**IT IS SO ORDERED.**

  
**LOURDES A. MARTÍNEZ**  
**UNITED STATES MAGISTRATE JUDGE**